

CIVIL NO. 5:15-CV-36-KDB-DSC

## **ORDER OF DEFAULT JUDGMENT OF FORFEITURE**

On March 9, 2015, the Government filed a Verified Complaint for Forfeiture *In Rem*, alleging that the Defendant Currency seized from Mr. Watson is subject to civil forfeiture under 21 U.S.C. § 881(a)(6). Doc. 1. The same day the Complaint

was filed, the Clerk issued a Warrant of Arrest *In Rem* for the Defendant Currency. Doc. 3.

After the Government filed its Complaint, in accordance with Rule G(4)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the Government provided direct notice of this action to known potential claimants by mailing notice and a copy of the Complaint to Mr. Watson and his son, Tracy Lee Watson, at their addresses of record. Additionally, in accordance with Supplemental Rule G(4)(a), the Government provided notice by publication as to all persons with potential claims to the Defendant Currency by publishing notice via [www.forfeiture.gov](http://www.forfeiture.gov) from March 12, 2015, through April 10, 2015. Doc. 5.

On April 15, 2015, Mr. Watson filed a Claim to the Defendant Currency. Doc. 6. Due to the pendency of Mr. Watson's state criminal case, on May 8, 2015, this Court issued an Order staying this action. Doc. 9. On January 15, 2020, following the resolution of Mr. Watson's state criminal case—which resulted in Mr. Watson pleading guilty to, among other things, attempted trafficking of opium/heroin—the stay was lifted. On February 18, 2020, Mr. Watson filed an Answer to the Complaint. Doc. 12. The Government and Mr. Watson thereafter reached a settlement of Mr. Watson's claim. See Doc. 16-1.

The Government has taken reasonable steps to provide notice to known

potential claimants, and the Government has otherwise complied with the notice requirements set forth in Supplemental Rule G(4). During the pendency of this action, no individual or entity other than Mr. Watson has made a timely claim to the Defendant Currency. Accordingly, on July 16, 2020, the Government filed a motion for entry of default, Doc. 16, and on July 27, 2020, the Clerk entered default. Doc. 17.

Pursuant to Fed. R. Civ. P. 55(b)(2), the Government now requests that the Court enter a Default Judgment of Forfeiture as to all persons and entities with respect to the Defendant Currency, other than Mr. Watson, whose claim was resolved pursuant to the terms of a settlement agreement. *See United States v. 15 Trimont Lake Road*, No. 2:10-cv-16, 2011 WL 309921 (W.D.N.C. Jan. 28, 2011) (entering Default Judgment of Forfeiture as to all other persons and entities when a claimant entered into settlement agreement). After review, the Court finds that the Government's motion should be granted. Accordingly, the Court hereby ORDERS that:

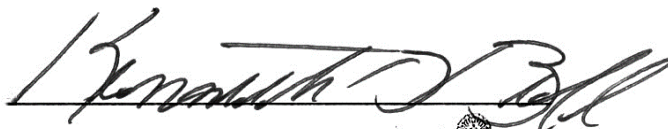
1. The Government's Motion for Default Judgment of Forfeiture is hereby GRANTED, and judgment is entered in favor of the United States against all persons and entities with respect to the \$104,842.40 in U.S. Currency identified in the Verified Complaint, other than Bill Homer Watson, whose claim to the Defendant

Currency was resolved pursuant to the terms of a settlement agreement.

2. It is FURTHER, ORDERED, ADJUDGED, AND DECREED that with the exception of the amount to be returned to Bill Homer Watson under the terms of the settlement agreement, any right, title and interest of all other persons and entities to the \$104,842.40 in U.S. Currency identified in the Verified Complaint is hereby forfeited to the United States, and no other right, title, or interest shall exist.

3. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States Marshal is hereby directed to dispose of the \$104,842.40 in U.S. Currency identified in the Verified Complaint as provided by law, consistent with the terms of the settlement agreement with Bill Homer Watson.

Signed: August 17, 2020

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell  
United States District Judge

